

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO.: 7:13-CR-24-BR-1

UNITED STATES OF AMERICA

v.

TIMOTHY GILLESPIE,

Defendant.

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ORDER

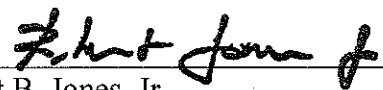
On March 6, 2013, Defendant came before this court for purposes of his initial appearance. [DE-10]. At the time of Defendant's initial appearance, the government did not seek detention upon the condition that Defendant find an appropriate residence pending proceedings in this case. This court then entered an order setting conditions of Defendant's release. [DE-11]. However, this court stayed its order and ordered Defendant's proposed residence of release be verified by the United States Probation Office. The court directed a representative of the USPO to inspect the proposed residence and advise the parties and the court as to its findings, whereupon the court would reconvene the parties for a status conference.

On March 11, 2013, the court held a status conference, having learned from the USPO that Defendant's proposed residence failed to meet its satisfaction. During the status conference, the government advised the court that it seeks detention of Defendant unless he can find suitable housing. Defense counsel advised the court as to Defendant's possible living arrangements but indicated these arrangements had not been secured. The court issued an oral order of detention based upon Defendant's failure to secure suitable living arrangements. The court's oral order of detention in the context of the status conference is premature, and the court hereby VACATES its order of detention. *See* 18 U.S.C. § 3142(g). The court also hereby VACATES its order of

March 6, 2013 setting conditions of release. The court sets this case for a detention hearing on March 14, 2013, and directs Defendant be held in temporary custody until the hearing. 18 U.S.C. § 3142(d). The court further directs the USPO to prepare the necessary pretrial services report to aid the court and parties in its decisional process as to Defendant's liberty status.

The period of delay is excluded from speedy trial computation pursuant to 18 U.S.C. § 3161(h).

SO ORDERED, the 11th day of March, 2013.

  
Robert B. Jones, Jr.  
United States Magistrate Judge